

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RON ABRAMS, )  
 )  
Plaintiff )  
 )  
v. ) **Case No.:**  
 )  
NORTHSTAR LOCATION ) **COMPLAINT AND DEMAND FOR**  
SERVICES LLC, ) **JURY TRIAL**  
 )  
Defendant ) **(Unlawful Debt Collection Practices)**

RON ABRAMS ("Plaintiff"), by and through his attorneys, KIMMEL & SILVERMAN, P.C., alleges the following against NORTHSTAR LOCATION SERVICES, LLC ("Defendant"):

**INTRODUCTION**

1. Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* ("FDCPA").

**JURISDICTION AND VENUE**

2. Jurisdiction of this court arises pursuant to 15 U.S.C. §1692k(d), which states that such actions may be brought and heard before "any appropriate United States district court without regard to the amount in controversy," and 28

1 U.S.C. §1331 grants this court original jurisdiction of all civil actions arising  
2 under the laws of the United States.

3  
4 3. Defendant conducts business in the Commonwealth of Pennsylvania,  
5 and as such, personal jurisdiction is established.

6 4. Venue is proper pursuant to 28 U.S.C. § 1391(b)(2).

7  
8 **PARTIES**

9 5. Plaintiff is a natural person and adult individual residing in Willow  
10 Grove, Pennsylvania 19090.

11 6. Plaintiff is a person granted a cause of action under the FDCPA. See  
12 15 U.S.C. § 1692k(a) and Weinrich v. Cole, 2000 U.S. Dist. LEXIS 18687 (E.D.  
13 Pa. Dec. 22, 2000).

14  
15 7. Defendant is a national debt collection company with its principal  
16 office located at 8940 Main Street, Clarence, New York 14031.

17  
18 8. Defendant collects, and attempts to collect, consumer debts incurred,  
19 or alleged to have been incurred, for personal, family or household purposes on  
20 behalf of creditors and debt buyers by using the U.S. mail, telephone and/or  
21 internet.

22  
23 9. Defendant is a “debt collector” as that term is defined by 15 U.S.C.  
24 §1692a(6), and repeatedly contacted Plaintiff in an attempt to collect a debt.

1           10. Defendant acted through its agents, employees, officers, members,  
2 directors, heirs, successors, assigns, principals, trustees, sureties, subrogees,  
3 representatives, and insurers.  
4

5                           **FACTUAL ALLEGATIONS**

6           11. At all relevant times, Defendant contacted Plaintiff in its attempts to  
7 collect an alleged consumer debt.  
8

9           12. The alleged debt arose out of transactions which were for personal,  
10 family, or household purposes.

11           13. The debt Defendant is seeking to collect is a consumer debt.

12           14. Beginning in or before May 2014, and thereafter, Defendant placed  
13 repeated telephone calls to Plaintiff's home telephone number in its attempts to  
14 collect the debt of another person, specifically, a Regina Abrams.  
15

16           15. Plaintiff knew it was Defendant calling because he saw its number on  
17 his caller id, received numerous automated messages from Defendant for a  
18 "Regina Abrams," as well as has listened to its automated recordings.  
19

20           16. Defendant contacted Plaintiff, on average, once a day on his home  
21 telephone.  
22

23           17. On those occasions where he answered Defendant's calls, he received  
24 an automated recording and was not able to speak to a live person.

25           18. In other instances, Plaintiff attempted to call Defendant and still

1 received an automated message. Plaintiff was unable to speak to a live person.

2 19. Finally, on one occasion, Plaintiff was able to speak with a live  
3 person and informed her Defendant was calling the wrong person and to stop  
4 calling his number.  
5

6 20. Defendant's employee claimed it would remove his number from its  
7 database.  
8

9 21. Plaintiff is unaware of whether Defendant updated its records to stop  
10 the collection calls to him, as around that same time, he had retained counsel in  
11 order to help him stop the calls, because prior to retaining counsel, he had been  
12 unable to get Defendant to stop its collection calls to him.  
13

14 22. Defendant's sole purpose for calling Plaintiff once a day was to  
15 annoy, abuse and harass him, as he was not the debtor.

16 23. Upon information and belief, information was readily available to  
17 Defendant, and/or was available in the public domain, that the number it was  
18 calling belonged to Plaintiff and/or was associated with Plaintiff's home address  
19

20 **COUNT I**  
21 **DEFENDANT VIOLATED § 1692d OF THE**  
22 **FAIR DEBT COLLECTION PRACTICES ACT**

23 24. Section 1692d of the FDCPA prohibits debt collectors from engaging  
24 in any conduct the natural consequence of which is to harass, oppress or abuse any  
25 person, in connection with the collection of a debt.

1           25. Defendant violated § 1692d of the FDCPA when it called Plaintiff  
2 repeatedly and continuously in its attempts to collect another person's debt.  
3

4                           **COUNT II**  
5                           **DEFENDANT VIOLATED § 1692d(5) OF THE**  
6                           **FAIR DEBT COLLECTION PRACTICES ACT**

7           26. Section 1692d(5) of the FDCPA prohibits debt collectors from  
8 causing a telephone to ring or engaging any person in telephone conversation  
9 repeatedly or continuously with the intent to annoy, abuse or harass any person at  
10 the called number.

11           27. Defendant violated § 1692d(5) of the FDCPA when it caused  
12 Plaintiff's telephone to ring, on average, once a day, with the intent to harass or  
13 annoy Plaintiff.  
14

15                           **COUNT III**  
16                           **DEFENDANT VIOLATED § 1692f OF THE**  
17                           **FAIR DEBT COLLECTION PRACTICES ACT**

18           28. A debt collector violates § 1692f of the FDCPA by using unfair or  
19 unconscionable means to collect or attempt to collect any debt.

20           29. Here, Defendant violated § 1692f of the FDCPA engaging in other  
21 unfair and unconscionable debt collection practices, including calling him with a  
22 computer and automated message which did not permit him a means to tell  
23 Defendant it was calling the wrong person or not allowing him to speak with a live  
24 person.  
25

1 WHEREFORE, Plaintiff, RON ABRAMS, respectfully prays for a judgment  
2 as follows:

- 3 a. All actual damages suffered pursuant to 15 U.S.C. §  
4 1692k(a)(1);  
5  
6 b. Statutory damages of \$1,000.00 for the violation of the FDCPA  
7 pursuant to 15 U.S.C. § 1692k(a)(2)(A);  
8  
9 c. All reasonable attorneys' fees, witness fees, court costs and  
10 other litigation costs incurred by Plaintiff pursuant to 15 U.S.C.  
11 § 1693k(a)(3); and  
12  
13 d. Any other relief deemed appropriate by this Honorable Court.

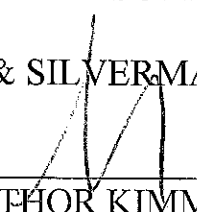
14 **DEMAND FOR JURY TRIAL**

15 PLEASE TAKE NOTICE that Plaintiff, RON ABRAMS, demands a jury  
16 trial in this case.

17  
18  
19 DATED: August 20, 2014

RESPECTFULLY SUBMITTED,

KIMMEL & SILVERMAN, P.C.

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